

STATEMENT OF BASIS (AI No. 6516)

For draft Louisiana Pollutant Discharge Elimination System permit No. LA0123251 to discharge to waters of the State of Louisiana.

THE APPLICANT IS: Aeropres Corporation
Aeropres' Sibley Plant
Post Office Box 198
Sibley, Louisiana 71073

ISSUING OFFICE: Louisiana Department of Environmental Quality (LDEQ)
Office of Environmental Services
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

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DATE PREPARED: October 17, 2007

1. PERMIT STATUS

A. Reason For Permit Action: Initial issuance of a Louisiana Pollutant Discharge Elimination System (LPDES) permit for a five year term following regulations promulgated at LAC 33:IX.2711/40 CFR 122.46*.

- * In order to ease the transition from NPDES to LPDES permits, dual regulatory references are provided where applicable. The LAC references are the legal references while the 40 CFR references are presented for informational purposes only. In most cases, LAC language is based on and is identical to the 40 CFR language. 40 CFR Parts 401,405-415, 417-471 have been adopted by reference at LAC 33:IX.4903 and will not have dual references. In addition, state standards (LAC 33:IX. Chapter 11) will not have dual references.

LAC 33:IX Citations: Unless otherwise stated, citations to LAC 33:IX refer to promulgated regulations listed at Louisiana Administrative Code, Title 33, Part IX.

40 CFR Citations: Unless otherwise stated, citations to 40 CFR refer to promulgated regulations listed at Title 40, Code of Federal Regulations in accordance with the dates specified at LAC 33:IX.4901, 4903, and 2301.F.

B. NPDES permit - NPDES permit effective date: N/A
NPDES permit expiration date: N/A

* EPA has not retained enforcement authority*

C. LPDES permit - LPDES permit effective date: N/A
LPDES permit expiration date: N/A

D. Date Application Received: April 25, 2006. Additional information received on April 27, 2006, October 17, 2007, November 5, 2007, and via e-mail on July 1, 2008.

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2. FACILITY INFORMATION

A. FACILITY TYPE/ACTIVITY - liquid petroleum gas (LPG) storage, filtration, and trucking

According to the application, other operations include a trucking terminal that conducts maintenance, fueling, vehicular washing, wastewater treatment, and truck/trailer replacement in a covered shop with welding and painting.

The discharges from this site include hydrostatic test wastewater, cooling tower blowdown, fire monitor test water, and storm water runoff.

B. FEE RATE

1. Fee Rating Facility Type: minor
2. Complexity Type: II
3. Wastewater Type: III
4. SIC code: 5171

C. LOCATION – approximately 2 miles south of I-20 on Highway 371, in Sibley, Webster Parish
(Latitude 32°33'13", Longitude 93°17'45")

3. OUTFALL INFORMATION

Outfall 001

Discharge Type: The intermittent discharge of cooling tower blowdown, fire monitor test water, storm water runoff, and previously monitored effluent from Internal Outfall 101 (hydrostatic test wastewater).

Treatment: Hydrostatic Test Wastewater- none
Cooling Tower Blowdown- may be manually buffered with acid or caustic if pH exceeds the 6.0-9.0 s.u. limitation
Fire Monitor Test Water- none

Location: at the point of discharge from the east side of the facility pond adjacent to the northeast side of tank farm prior to combining with other waters (Latitude 32°33'13", Longitude 93°17'34").

Flow: Intermittent.

Discharge Route: an unnamed tributary, into Bayou Dorcheat, and thence to Lake Bistineau via an unnamed ditch.

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Internal Outfall 101

Discharge Type: The intermittent discharge of hydrostatic test wastewater.

Treatment: None.

Location: at the point of discharge from tank that is tested prior to discharging into the fire water pond located in the central portion of the facility then combining with the effluent at Outfall 001 (Latitude 32°33'17", Longitude 93°17'39")

Flow: Intermittent.

Discharge Route: an unnamed tributary, into Bayou Dorcheat, and thence to Lake Bistineau via an unnamed ditch.

Outfall 002

Discharge Type: The intermittent discharge of stormwater runoff

Treatment: None.

Location: at the point of discharge near the southeast side of the property near the railcar access gate prior to combining with other waters (Latitude 32°33'13", Longitude 93°17'34").

Flow: Intermittent.

Discharge Route: from the on-site ditch to a low area near property, into Bayou Dorcheat and thence to Lake Bistineau.

4. RECEIVING WATERS

STREAM – an unnamed tributary into Bayou Dorcheat and thence into Lake Bistineau via an unnamed ditch

BASIN AND SEGMENT – Red River Basin, Subsegment No. 100501

DESIGNATED USES - a. primary contact recreation
 b. secondary contact recreation
 c. propagation of fish and wildlife
 e. agriculture
 f. outstanding natural resource waters

The waterbody which is an outstanding natural resource in Subsegment No. 100501 is Bayou Dorcheat. In accordance with LAC 33:IX.1111, "designated uses of drinking water supply, oyster propagation and/or outstanding natural resource waters apply only to the waterbodies specifically named in Table 3 (LAC 33:IX.1123) and not to any tributaries and distributaries to such waterbodies which are typically contained in separate subsegments".

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5. ADDITIONAL CONSIDERATIONS REQUESTED BY AEROPRES CORPORATION

Light Commercial General Permit

Aeropres Corporation requested to obtain coverage under the Light Commercial General Permit (LAG480000); however, authorization to discharge under the LAG480000 is not being issued due to a stay ordered by the 19th Judicial District Court. Therefore, an individual permit will be issued to the Aeropres Sibley Plant.

Cooling Water

The permittee requested to use Ancocide 4070, a biocide containing magnesium nitrate; Ancool 3393, a scale and corrosion inhibitor containing molybdenum and sodium hydroxide; and Ancool 3343, a scale, microbiological fouling, and corrosion inhibitor. Based on the information provided in the application, Aeropres will discharge 0.0417 lbs/month of biocide at 0.125 ppm to the on-site fire water pond. Cooling tower blowdown will average two discharges per month at 50 gallons per discharge. The cooling tower blowdown will be held in a temporary holding tank and sampled for compliance prior to release to the pond. (See discussion below)

Hydrostatic Test Wastewater

Hydrostatic test wastewater (generated through testing of LPG tank trailers) will be discharged to the on site pond. Hydrostatic test wastewater will average one (1) discharge per month at 10,000 gallons per discharge. The hydrostatic test wastewater discharge will be held in a temporary holding tank and sampled for compliance with discharge limitations prior to discharge to the on-site pond. Hydrostatic test wastewater that is not in compliance with discharge limitations would be sent off site for disposal.

Ancocide 4070 and Ancool 3393 Biocides

According to the application, the effluent will be discharged into an on-site pond, thence to an unnamed tributary, into Bayou Dorcheat and thence to Lake Bistineau with an approximate flow rate of 366 GPD.

After review of the MSDS and toxicity data, the proposed additive(s) are approved for use as described in the application. There shall be no discharge of toxic materials in quantities that would cause acute toxicity to aquatic organisms in the receiving stream. Any changes in the concentration(s) of the proposed additive(s) and/or the addition of new additives will need prior approval by this Office. The permittee is required to notify the LDEQ Northwest Regional Office within 48 hours in advance of the discharge.

Additionally, the facility must document, in a monthly inventory record, the quantity and type of biocide. The inventory record should contain this information for each month beginning one month after the effective date of permit coverage and include all calculations of the biocide concentration in the fire water pond. Based on the information received from the facility, concentrations should not exceed 0.125 ppm. The monthly inventory record and calculations should be attached to the DMR and submitted quarterly. The final calculation should be stated in mg/L.

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6. PROPOSED EFFLUENT LIMITS

Outfall 001 - the discharge of cooling tower blowdown, fire monitor test water, stormwater runoff, and previously monitored effluent from Internal Outfall 101 (hydrostatic test wastewater)

Parameter	Monthly Average	Daily Maximum	Frequency	Sample Type	Regulatory Basis
Flow	Report	Report	1/quarter	Estimate	LAC 33:IX.2707.1.1.b
TOC	---	50 mg/L	1/quarter	Grab	BPJ; permitted facilities with similar operations; current storm water guidance
Oil & Grease	---	15 mg/L	1/quarter	Grab	BPJ; permitted facilities with similar operations; current storm water guidance
pH	6.0 S.U. (min)	9.0 S.U. (max)	1/quarter	Grab	LAC33:IX.1113.C.1

Treatment: none

Monitoring Frequency: a monitoring frequency of 1/quarter has been established for all parameters. This is consistent with permitted facilities with similar operations and storm water guidance.

Internal Outfall 101 – The discharge hydrostatic test wastewater

Parameter	Monthly Average	Daily Maximum	Frequency	Sample Type	Regulatory Basis
Flow	Report	Report	once prior to discharge	Estimate	LAC 33:IX.2707.1.1.b
TOC	---	50 mg/L	once prior to discharge	Grab	BPJ; permitted facilities with similar operations; current hydrostatic general permit
Oil & Grease	---	15 mg/L	once prior to discharge	Grab	BPJ; permitted facilities with similar operations; current hydrostatic general permit
TSS	---	90 mg/L	once prior to discharge	Grab	BPJ; permitted facilities with similar operations; current hydrostatic general permit
Lead	---	50 ug/L	once prior to discharge	Grab	BPJ; permitted facilities with similar operations; current hydrostatic general permit
Benzene	---	50 ug/L	once prior to discharge	Grab	BPJ; permitted facilities with similar operations; current hydrostatic test general permit
BTEX	---	250 ug/L	once prior to discharge	Grab	BPJ; permitted facilities with similar operations; current hydrostatic test general permit

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Treatment: none

Monitoring Frequency: Monitoring is required once prior to proposed discharge. This is consistent with permitted facilities with current hydrostatic test general permit.

Outfall 002 – The discharge stormwater runoff

Parameter	Monthly Average	Daily Maximum	Frequency	Sample Type	Regulatory Basis
Flow	Report	Report	1/ quarter	Estimate	LAC 33:IX.2707.1.1.b
TOC	---	50 mg/L	1/ quarter	Grab	BPJ; permitted facilities with similar operations; current storm water guidance
Oil and Grease	---	15 mg/L	1/ quarter	Grab	BPJ; permitted facilities with similar operations; current storm water guidance
pH	6.0 S.U. (min)	9.0 S.U. (max)	1/ quarter	Grab	LAC33:IX.1113.C.1

Treatment: none

Monitoring Frequency: a monitoring frequency of 1/3 months has been established for all parameters. This is consistent with current stormwater guidance.

7. COMPLIANCE HISTORY/COMMENTS

A. Compliance History

There are no open enforcement actions for Aeropres Corporation, Aeropres' Sibley Plant

B. Inspections

No inspections have been conducted.

C. DMR Review/Excursions

Initial permit; no DMRs have been submitted

8. "IT" QUESTIONS - APPLICANT'S RESPONSES

The "IT" questions along with the applicant's responses are located in Section 7 of the permit application. See Appendix A.

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9. ENDANGERED SPECIES

The receiving waterbody, Subsegment No. 100501 of the Red River Basin is not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U.S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated October 24, 2007 from Boggs (FWS) to Brown (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. It was determined that the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. Therefore, the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat.

10. HISTORIC SITES

The discharge is from a new facility. There should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

11. TENTATIVE DETERMINATION

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to permit the discharges described in the application.

12. PUBLIC NOTICES

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

13. STORM WATER POLLUTION PREVENTION PLAN (SWP3) REQUIREMENT

In accordance with LAC 33:IX.2707.I.3 and 4 [40 CFR 122.44(I)(3) and (4)], a Part II condition is proposed for applicability to all stormwater discharges from the facility, either through permitted outfalls or through outfalls which are not listed in the permit or as sheet flow. The Part II condition requires a Storm Water Pollution Prevention Plan (SWP3) within six (6) months of the effective date of the final permit, along with other requirements. If the permittee maintains other plans that contain duplicative information, that plan could be incorporated by reference into the SWP3. Examples of these type plans include, but are not limited to: Spill Prevention Control and Countermeasure Plan (SPCC), Best Management Plan (BMP), Response Plans, etc. The conditions will be found in the draft permit. Including Best Management Practice (BMP) controls in the form of a SWP3 is consistent

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with other LPDES and EPA permits regulating similar discharges of storm water associated with industrial activity, as defined at LAC 33:IX.2511.B.14 [(40 CFR 122.26(b)(14))].

14. **303(d) WATERBODY IMPAIRMENTS**

The discharges include hydrostatic test wastewater, cooling tower blowdown, fire monitor test water, and stormwater runoff to an unnamed tributary, into Bayou Dorcheat, and thence to Lake Bistineau via an unnamed ditch.

Subsegment No. 100501, Bayou Dorcheat and thence to Lake Bistineau via an unnamed ditch, is not listed on LDEQ's Final 2006 303(d) as impaired. However subsegment 100501 was previously impaired for organic enrichment/low DO and mercury for which the below TMDL's have been developed. Based on an evaluation of the facility's discharge, it has been determined that there is no potential to discharge constituents that would contribute to this impairment. This facility is primarily discharging stormwater cooling tower blowdown, fire monitor test water.

Subsegment 100501 was previously listed as impaired for mercury and organic enrichment/low DO, for which TMDL's were developed for mercury on March 26, 2008, and organic enrichment/low DO, on March 25, 2008. To date, the following TMDLs have been completed:

Mercury

The Bayou Dorcheat *TMDL Report for Mercury* was finalized on March 26, 2008. The TMDL report identified atmospheric deposition as the suspected cause of impairment. The estimated mercury load to Subsegment 100501 included mercury atmospheric deposition from local emission sources, regional atmospheric deposition, mercury previously deposited in the watershed and transported to the water body via erosion, point sources, and inflows from upstream. Therefore, mercury requirements will not be placed in this permit.

Nutrients/Phosphorus/Organic enrichment/low DO

The Bayou Dorcheat *TMDL Report for Dissolved Oxygen* was finalized on March 25, 2008, addressed organic enrichment/low DO. The sources for organic enrichment/low DO are unknown. The discharges from Aeropres Corporation consist of low volume discharges that are not expected to contribute to further impairment of Lake Bistineau.

The Department of Environmental Quality reserves the right to impose more stringent discharge limitations and/or additional restrictions in the future to maintain the water quality integrity and the designated uses of the receiving water bodies based upon additional TMDL's and/or water quality studies. The DEQ also reserves the right to modify or revoke and reissue this permit based upon any changes to established TMDL's for this discharge, or to accommodate for pollutant trading provisions in approved TMDL watersheds as necessary to achieve compliance with water quality standards. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by a TMDL. No additional reporting requirements were placed on Outfalls 001, 101, and 002.